

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>FOTOMEDIA TECHNOLOGIES, LLC,</b>	)	<b>CASE NO.: 2:08-cv-00202-CE</b>
	)	
<b>Plaintiff,</b>	)	
	)	<b>JUDGE EVERINGHAM</b>
<b>v.</b>	)	
	)	
<b>AMERICAN GREETINGS CORP., et al.,</b>	)	<b>JURY TRIAL DEMANDED</b>
	)	
<b>Defendants.</b>	)	
	)	

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**ORDER GRANTING STIPULATED MOTION FOR DISMISSAL**

The Court, having considered Plaintiff FotoMedia Technologies, Inc.’s (“FotoMedia”), and Defendant Zazzle.com, Inc.’s (“Zazzle”) Stipulated Motion for Dismissal pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and (c), hereby GRANTS the motion.

It is THEREFORE ORDERED as follows:

1. Claims 1, 2, 4, 5, and 6 of U.S. Patent No. 6,018,774; asserted claims 1, 2, 3, 4, 5, 6, 7, 8, and 17 of U.S. Patent No. 6,542,936; and asserted claims 1, 2, 3, 17, 18, and 19 of U.S. Patent No. 6,871,231 are hereby dismissed **without prejudice** and Zazzle’s counterclaims of invalidity and non-infringement with respect to those claims are dismissed **without prejudice**;
2. Claim 3 of U.S. Patent No. 6,018,774; claims 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, and 20 of U.S. Patent No. 6,542,936; and claims 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33 of U.S. Patent No. 6,871,231 are hereby dismissed **with prejudice** and Zazzle’s counterclaims of invalidity and non-infringement with respect to those claims are dismissed **with prejudice**; and
3. Each party shall bear its own costs, expenses, and attorneys’ fees.

SIGNED this 1st day of February, 2010.



CHARLES EVERINGHAM IV  
UNITED STATES MAGISTRATE JUDGE